



EV 569810749

REMARKS

Status of the Application

Claims 1-15 are pending. Claims 1-14 are rejected. Claim 15 is allowed.

Drawings

In response to the objection to the drawings, Applicants submit herewith a new drawing 1A (replacement Sheet 1/5) showing a lateral support 16' having a circular cross section as claimed in claim 13. New Figure 1A is supported in the specification as filed at paragraph 0024. (Figure 1 is unchanged.)

Applicants also submit herewith Replacement Sheets 2/5 and 3/5. The change in sheet 2/5 is as follows:

- Element number 14 has been added to designate deck member 14 for better understanding.

The change in sheet 3/5 is as follows:

- Element number 24 has been deleted from the bottom of the figure because it was incorrect.

Specification

As explained by Applicants' attorney during a telephone interview with the Examiner on June 30, 2005 the limitation (in claim 13) that the lateral supports have a circular cross-sectional profile is supported in the specification as filed at paragraph 0024.

Section 112 Rejections

Claims 1 - 15 have been rejected under 35 U.S.C. Section 112, second paragraph, as being indefinite. In particular, claim 1 is said to fail to recite sufficient structural elements and interconnection of the elements to positively position and define how the elongate supports

extend through a plurality of openings so that an integral structure able to function as claimed is recited.

Applicants respectfully disagree. As explained by Applicants' attorney during that June 30 interview, claim 1 recites three main elements. Including element numbering for convenience, they are:

- (1) a plurality of elongate runners 11, 13;
- (2) a substantially flat deck member 14; and
- (3) elongate lateral supports 16.

In order to provide sufficient interconnection of these three main elements, claim 1 further recites that the runners 11, 13 have tabs 18 extending above the runner top panels 21, 70, 72; that the tabs 18 have openings 18 disposed therein; that the flat deck member 14 has slits 24 disposed therein for receiving the tabs 18 so that the deck member can be positioned adjacent the runner top panels; and that the elongate lateral supports 16 extend through the tab openings 18.

Applicants submit that because of these limitations found in claim 1 the claim adequately recites sufficient structural elements and interconnection of those elements to positively position and define how the elongate supports 16 extend through a plurality of openings 18 so that an integral structure (pallet 10) is able to function as claimed. For this same reason Applicants submit that claims 2-15 also satisfy Section 112, second paragraph.

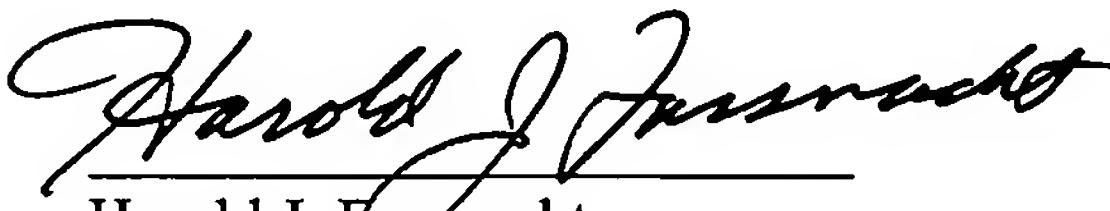
Allowable Subject Matter

Applicants note with appreciation that claim 15 is deemed allowable over the prior art of record.

Summary

It is believed that this paper constitutes a complete response to the Office Action mailed June 1, 2005, and an early and favorable action allowing claims 1-15 is respectfully requested. The Examiner is invited to telephone Applicant's undersigned attorney if any unresolved matters remain.

Respectfully submitted,



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